

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Eric J. BENJAMIN, Reinhardt B. BAUDY and Michael R. BRANDT
Application No.: TBA Group Art No.:
Filed: TBA Examiner:
For: PHARMACEUTICAL COMPOSITIONS FOR INTRANASAL
ADMINISTRATION OF [2-(8,9-DIOXO-2,6-DIAZABICYCLO[5.2.0]
NON-1(7)-EN-2-YL)ALKYL] PHOSPHONIC ACID AND DERIVATIVES
AND METHODS OF USE THEREOF
Confirmation No.: TBA
Customer Number: 25291

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement accompanies the new patent application submitted herewith of the following Inventors: Eric J. BENJAMIN, Reinhardt B. BAUDY, and Michael R. BRANDT;

For: **PHARMACEUTICAL COMPOSITIONS FOR INTRANASAL ADMINISTRATION OF [2-(8,9-DIOXO-2,6-DIAZABICYCLO[5.2.0]NON-1(7)-EN-2-YL)ALKYL] PHOSPHONIC ACID AND DERIVATIVES AND METHODS OF USE THEREOF.**

1. Preliminary Statements

In accordance with 37 CFR 1.97 and 1.98, Applicants submit herewith patents, publications, or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56. This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) the information is material to the examination of this application; (iii) additional information material to the examination of this application does not exist; (iv) the information, protocols, results and the like reported by third parties are accurate or enabling; or (v) the information constitutes prior art to the subject invention.

2. Previously Cited Information

No copy of the patents, publications or other information cited on the attached form PTO-1449 is enclosed because it has been previously cited by or submitted to the Office in a prior application which is relied upon for an earlier filing date under 35 USC 120. Prior application is Application Number filed on of for

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EU947816431US addressed to the Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

April 7, 2004
Date


Paula L. Dickey

3. Newly Cited Information

A legible copy of the patents, publications or other information cited on the attached form PTO-1449 is enclosed, except that if this patent application was filed or entered the national stage after June 30, 2003, no copy of a U.S. patent or U.S. patent application publication is enclosed.

4. Concise Explanation

Documents cited above which are not in the English Language

a. have been explained in the specification.

b. have an abstract (or other concise explanation) in English enclosed or, if readily available, a translation into English of the document is enclosed.

5. Form PTO-1449 is enclosed in duplicate.

6. Customer Number 25291.

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Substitute for form 144B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
Sheet		1	of	2	Application Number To Be Assigned
					Filing Date TBA
					First Named Inventor Benjamin et al.
					Group Art Unit
					Examiner Name
					Attorney Docket Number AM101252

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number (If known)	Kind Code (If Known)			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (If Known)				
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OTHER PRIOR ART — NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet		2	of	2	Attorney Docket Number
				AM101252	

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